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BOOKS RECEIVED.

THE ROMAN LAW OF TESTAMENTS, CODICILS AND GIFTS IN THE EVENT OF DEATH. By MOSES A. DROPSIE. Philadelphia: T. & J. W. Johnson & Co., 1892.

THE LAW OF MANDAMUS. By S. S. MERRILL. Chicago: T. H. Flood & Co., 1892.

SELECT CASES ON EVIDENCE AT THE COMMON LAW, WITH NOTES. By JAMES BRADLEY THAYER, LL.D., Professor of Law at Harvard University. Cambridge: Charles W. Sever, 1892.

A TREATISE ON THE LAW REGULATING THE MANUFACTURE AND SALE OF INTOXICATING LAW. By HENRY CAMPBELL BLACK, M.A. St. Paul, Minn.: West Publishing Co., 1892.

LEADING CASES UPON THE LAW OF TORTS. Selected by GEORGE CHASE, LL.B., Professor of Law in the New York Law School. St. Paul, Minn.: West Publishing Co., 1892.

ABSTRACTS OF RECENT CASES.

[Selected from the current of American and English Decisions.]

BY

HORACE L. CHEYNEY, HENRY N. SMALTZ, JOHN A. MCCARTHY.

AGENCY—LIABILITY OF PRINCIPAL FOR FRAUD OF AGENT—MERCANTILE AGENCIES.—A bank entered into an agreement with a mercantile agency whereby the latter agreed to furnish to the former such information as they might possess concerning the mercantile standing and credit of merchants, etc., stipulating, however, that they should not be responsible for any loss caused by the negligence of any of their employees in procuring, collecting and communicating said information, and that the correctness of information was not guaranteed by them. The bank made application to the agency for information as to the standing of a certain merchant. In response to this call the agent of the mercantile agency knowingly made a false report for the purpose of deceiving the bank and benefiting the merchant. The bank relied upon this information, and sustaining loss in consequence, brought suit against the mercantile agency and a verdict against them was sustained, the Court holding that a principal is civilly liable for the fraud and deceit of his agent, which is committed for the principal, in the course of business and is a part of the agent's employment, and within the scope of his authority, though in fact the principal is ignorant of the act, and this liability is not changed if the agent makes the fraudulent representations not for his employer, but for his own interest and to serve his own private